

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

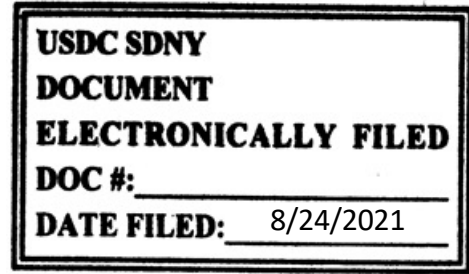
E&E Co., Ltd.,

Plaintiff,

-against-

London Luxury LLC,

Defendant.



1:20-cv-09610 (LTS) (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

Following a telephone conference with the parties this afternoon regarding the issues raised in the parties' joint letter dated August 23, 2021 (ECF No. 40), the Court hereby ORDERS as follows:

1. No later than Tuesday, September 7, 2021, Defendant shall either (a) agree to search for ESI dating back to May 1, 2018; or (b) serve on Plaintiff a sworn statement (i) setting forth the timing of the (x) conception of the Accused Product, and (y) development of the Accused Product; and (ii) identifying documents sufficient to corroborate that statement, producing therewith all such documents not already produced.
2. If Defendant chooses the latter option (*i.e.*, option 1(b) above), the parties shall meet and confer promptly thereafter regarding the appropriate start-date for Defendant's ESI search.
3. If the parties cannot come to agreement, then, no later than Tuesday, September 21, 2021, Plaintiff's request for a pre-March 2019 ESI start-date may be renewed via joint letter to the Court not to exceed six pages (excluding exhibits). Any such

letter shall attach as exhibits Defendant's sworn statement and representative corroborating documents.

SO ORDERED.

Dated: New York, New York
August 24, 2021

A handwritten signature in black ink, appearing to read "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON
United States Magistrate Judge